

**LEWIS
BRISBOIS
BISGAARD
& SMITH LLP**
ATTORNEYS AT LAW

77 Water Street, Suite 2100
New York, New York 10005
Telephone: 212.232.1300
Fax: 212.232.1399
www.lbbslaw.com

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 30 2013 ★

LONG ISLAND OFFICE

MATTHEW E. LEWITZ
DIRECT DIAL: 212.232.1403
E-MAIL: MLEWITZ@LBBSLAW.COM

April 29, 2013

File No.
33294.08

Via ECF

Honorable Sandra J. Feuerstein
United States District Judge
United States Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: *Nivea Oquendo v. RJM Acquisitions, LLC, et ano.*
12-CV-6116 (SJF)(GRB)

Dear Judge Feuerstein:

We represent defendants in the above-referenced matter. Pursuant to Your Honor's Order to Show Cause, dated April 2, 2013, defendants were to serve a copy of said order on April 4, 2013 at the address for plaintiff provided on the docket sheet. Enclosed please find a copy of the affidavit of service of the Order to Show Cause at the address listed for plaintiff. Pursuant to Your Honor's subsequent Order, dated April 2, 2013 and entered April 11, 2013, defendants were to serve a copy of the Order to Show Cause by mailing it to plaintiff's last known address. Enclosed please find a copy of a letter, dated April 11, 2013, transmitted to plaintiff's last known address which enclosed the Order to Show Cause. Accordingly, defendants have complied with Your Honor's Orders by their service of the Order to Show Cause. In light of plaintiff's failure to show cause why this action should not be dismissed for failure to prosecute, and given plaintiff's apparent abandonment of the case, defendants respectfully request that the Court dismiss this action. Thank you for your attention to this matter.

The case is dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure for plaintiff's failure to prosecute. The Clerk of Court is directed to close this case. Respectfully,
Matthew E. Lewitz
Matthew E. Lewitz for
LEWIS BRISBOIS BISGAARD & SMITH LLP

cc: Nivea Oquendo *SO ORDERED.*
/s/ Sandra J. Feuerstein

70.5

4/30/13